

EXHIBIT G**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patents

In re Application of:

TAE JIN EOM ET AL.

Serial No. 08/239,313

Filed: May 6, 1994

For: **BIOLOGICAL DE-INKING
METHOD**

Examiner: Hastings, K.

Art Unit: 1303

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DECLARATION OF MASAHIRO SAMEJIMA UNDER 37 CFR § 1.132

MASAHIRO SAMEJIMA, PH.D., declares as follows:

1. I earned a Ph.D. in Science of Forest Products in 1982. Subsequently I have conducted extensive research in the fields of microbiology and enzymology in biodegradation of wood components, especially lignin and cellulose. I am currently an Associate Professor in the Department of Forest Products at the University of Tokyo, Tokyo, Japan. Attached is a copy of my Curriculum Vitae.

2. My declaration is based on my scientific experience and understanding of the subject matter as an expert in the art. I am a Japanese citizen and speak, read and write in the Japanese language. I also speak, read and write English fluently.

3. I have read the Japanese Patent 63-59494 ('494 patent) in the Japanese language. In my expert opinion, the '494 patent, read in its entirety, teaches one of ordinary skill in the art only the use of cellulase, either concurrently or sequentially, with deinking chemicals. It is also my opinion that the '494 patent does not teach or even suggest to those skilled in the art the use of cellulase alone for deinking waste papers.

4. I have read the Tae Jin Eom et al. U.S. Patent Application Serial No. 08/239,313, (Eom patent application) and the Office Actions dated November 7, 1995 and January 4, 1995. It

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is my expert opinion that the interpretation of the '494 patent, made by the U.S. Patent Office, is incorrect in that the teaching of the '494 patent is mischaracterized by finding the '494 patent teaches use of cellulase alone, in the absence of deinking chemicals, to deink waste paper. The citation of the '494 patent is inadequate because the Examiner did not seriously consider the differences between cellulase use under alkaline conditions and acidic conditions. The election of the pH range to be used in the deinking process creates significantly distinctive ways of deinking waste papers. The method taught by the '494 patent uses an alkaline resistant cellulase under alkaline conditions created by well known deinking chemicals. The alkaline resistant cellulase and the alkaline conditions for deinking taught by the '494 patent are very different from the deinking process claimed in the Eom patent application. The '494 patent does not provide a teaching or suggestion that enables one skilled in the art to practice the method taught in the Eom patent application.

5. In summary, it is my expert opinion that the U.S. Patent Office has misinterpreted the '494 patent, and that at the time of the invention, the disclosure of the '494 patent taught the deinking of waste papers by the use of chemical deinking agents and cellulase, and did not teach or suggest the use of cellulase alone to deink waste papers.

6. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Date: March 5, 1996

Masahiro Samejima
Masahiro Samejima, Ph.D.

J&A Docket No. 20565-0110

CURRICULUM VITAE (Documented at 29 February, 1996)

Name: Masahiro Samejima
(Given name) (Family name)

Age: 41 years old (born at 13th March, 1954 in Tokyo, Japan)

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Education: B.Sc. from University of Tokyo, Department of Forest Products, March, 1977

M.A. from University of Tokyo, Department of Forest Products, March, 1979

Ph.D. from university of Tokyo, Department of Forest Products, March, 1982
(Title of Ph.D. thesis: Studies on flavanols and related compounds from coniferous
bark) under supervision of Prof. Tomotaka Yoshimoto.

Positions held after graduation:

April 1982 - August 1983: Postdoctoral fellow in University of Tokyo,
Department of Forest Products

September 1983 - December 1983: Visiting scientist in Pulp & Paper Research Institute of Canada
(under supervision of Dr. Lado Jurasek)

December 1983 - October 1990: Assistant professor in the University of Tokyo,
Department of Forest Products

October 1990 - July 1992: Visiting scientist in the University of Georgia,
Department of Biochemistry
(under supervision of Prof. Karl-Erik L. Eriksson)

July 1992 - July 1995: Assistant professor in the University of Tokyo,
Department of Forest Products Science

August 1995 - Present: Associate professor in the University of Tokyo,
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